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9 UNITED STATES DISTRICT COURT  
10 DISTRICT OF NEVADA  
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12 UNITED STATES OF AMERICA,

3:73-CV-00125-MMD-WGC

13 Plaintiff,

In Equity No. C-125

14 WALKER RIVER PAIUTE TRIBE,

15 Plaintiff-Intervenor,

16 vs.

17 WALKER RIVER IRRIGATION DISTRICT,  
18 a corporation, et al.,

19 Defendants.

/ ORDER RE:

20 **AMENDED ORDER APPROVING BUDGET AND RATE OF ASSESSMENT**  
21 **FOR THE YEAR JULY 1, 2019 THROUGH JUNE 30, 2020,**  
22 **AND THE AUDIT REPORT**  
23 **FOR THE YEAR ENDED JUNE 30, 2018**

24 The Report and Petition of the United States Board of Water Commissioners and the  
25 Chief Deputy Water Commissioner/Water Master (collectively "Board") for Approval of Budget and  
26 Approval of Rate of Assessment and Special Assessment for the Year July 1, 2019 Through June 30,  
27 2020, and for Approval of the Audit Report for the Year Ended June 30, 2018 ("Petition") (Doc.  
28 1551) was filed on April 19, 2019.

1 An Order requiring notice of the Petition was entered April 22, 2019 (Doc. 1557). A  
2 hearing was set for June 3, 2019 (Doc. 1557).

3 The Walker River Paiute Tribe ("Tribe") and the United States of America ("United  
4 States") filed Joint Comments on May 20, 2019 (Doc. 1573). The Walker River Irrigation District  
5 ("WRID") filed a Response to the Joint Comments of the Walker River Paiute Tribe and the United  
6 States of America on May 20, 2019 (Doc. 1576).

7 The Joint Comments of the Tribe and the United States state their comments are  
8 similar to their comments filed annually with the Court in prior years, and that therefore a hearing  
9 may not be required. Subject to the statements made in their comments, the Tribe and United States  
10 do not object to the Court approving the Petition. The Joint Comments pertain to the delivery of  
11 water to the Tribe to account for conveyance losses, measurement of the Tribe's water rights and the  
12 Tribe's start date. The Tribe and the United States do not object to the Board administering the  
13 Decree and the delivery of water in the same manner as in prior similar irrigation seasons. WRID  
14 responded to the Tribe's and United States' Joint Comments and acknowledged the Tribe and the  
15 United States have not waived the rights they may have to seek in the future a different place of  
16 measurement, the addition of water to offset conveyances losses, if any, and the issue of the Tribe's  
17 start date.

18 The Walker Basin Conservancy ("WBC") filed an Objection to Petition for Approval  
19 of Special Assessment on May 20, 2019 (Doc. 1575). Mineral County and the Walker Lake  
20 Working Group filed their Joinder to Objection of WBC to Petition for Approval of Special  
21 Assessment on May 21, 2019 (Doc. 1577). The Board filed a Response to the Objection of WBC  
22 (Doc. 1579) and the Affidavit of Joanne Sarkisian, the Water Master, on May 30, 2019 (Doc 1580).

23 There were no other comments or objections filed to the budget, rate of assessment,  
24 special assessment or the audit report.

25 At the hearing on June 3, 2019, the Board and WBC stipulated to an agreement to  
26 resolve the Board's request for a special assessment to the WBC and WBC's objection to the  
27 Board's request for a special assessment. As a result of that stipulated agreement, the Board  
28 withdrew its request in its Petition for a special assessment to the WBC. The stipulated agreement

1 will be provided to the Court in a separate document for approval as stated on the record at the June  
2 3, 2019 hearing.

3 The undersigned counsel hereby certifies that in accordance with Local Rule 7-2(f),  
4 the proposed order was served on the principal parties participating at the June 3, 2019 hearing and  
5 further certifies said principal parties approved of the proposed order.

6 The Court having considered the Petition, the Tribe's and United States' Joint  
7 Comments, WRID's Response, the proofs of notice, oral argument on June 3, 2019, and being fully  
8 advised in the premises makes the following findings:

9 1. The Court finds that notice of this hearing has been given by publication and  
10 posting of the Notice of Filing of Report and Petition for Approval of Budget and Approval of Rate  
11 of Assessment and Special Assessment for the Year July 1, 2019 Through June 30, 2020, and for  
12 Approval of the Audit Report for the Year Ended June 30, 2018 in accordance with its Order of  
13 April 22, 2019 (Doc. 1557), and that additional notice has been given by electronic service and by  
14 mailing a copy of the Petition, the (Proposed) Order Requiring Notice and (Proposed) Notice of  
15 Filing Report on April 19, 2019, as set forth in the Affidavit of Service filed on April 23, 2019 (Doc.  
16 1558).

17 2. The Court finds that the Budget and the Rate of Assessment of \$3.60 per acre  
18 for the year July 1, 2019 to June 30, 2020 should be approved.

19 3. The Court finds the Audit Report of the accounting records of the United  
20 States Board of Water Commissioners for the year ended June 30, 2018, prepared by Arrighi, Blake  
21 & Associates, LLC, Certified Public Accountants, should be approved.

22 NOW, THEREFORE, it is hereby ordered that:

23 1. The Budget and Rate of Assessment of \$3.60 per acre for the year July 1,  
24 2019 to June 30, 2020 to pay for necessary expenses to be incurred by the Board in administering the  
25 provisions of the Final Decree for the period July 1, 2019 through June 30, 2020 submitted by the  
26 Chief Deputy Water Commissioner and approved by the United States Board of Water  
27 Commissioners on March 15, 2019 is hereby approved; and

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1                   2.       The Audit Report of the accounting records of the United States Board of  
2 Water Commissioners for the year ended June 30, 2018, prepared by Arrighi, Blake & Associates,  
3 LLC, Certified Public Accountants, is hereby approved.

4                   DATED this 17th day of June, 2019.

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7 UNITED STATES DISTRICT JUDGE  
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